

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANDREW GILKERSON,

Defendant.

4:22-CR-3093

FINAL ORDER OF FORFEITURE

This matter is before the Court on the plaintiff's Motion for Final Order of Forfeiture ([filing 66](#)). On July 17, 2023, the Court entered a Preliminary Order of Forfeiture ([filing 53](#)) pursuant to [21 U.S.C. § 853](#), based upon the defendant's plea of guilty to conspiring to distribute methamphetamine and to possess methamphetamine with intent to distribute it in violation of [21 U.S.C. §§ 841 and 846](#), and admission of the forfeiture allegation contained in the indictment. By way of the preliminary order of forfeiture, the defendant's interest in \$14,548.00 in United States currency was forfeited to the United States. [Filing 53](#).

As directed by the order, a Notice of Criminal Forfeiture was posted beginning on July 21, 2023, on an official Internet government forfeiture site, www.forfeiture.gov, for at least 30 consecutive days, as required by [Supp. Admiralty and Maritime Claims R. G\(4\)\(a\)\(iii\)\(B\)](#). A Declaration of Publication ([filing 65](#)) was filed on September 26, 2023. The Court has been advised by the plaintiff that no petitions have been filed, and from a review of the Court file, the Court finds no petitions have been filed.

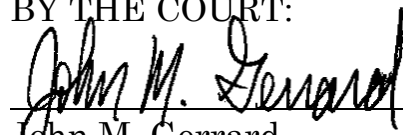
Since the entry of the preliminary order of forfeiture, the plaintiff has concluded that \$8,000.00 of the forfeited currency were not actually proceeds of the offense. [Filing 72](#). As a result, the plaintiff is seeking the return of \$8,000.00 to the defendant, and final forfeiture of \$6,548.00. [Filing 72](#).

IT IS ORDERED:

1. The plaintiff's Motion for Final Order of Forfeiture ([filing 66](#)) is granted.
2. All right, title, and interest in and to \$6,548.00 in United States currency held by any person or entity are forever barred and foreclosed.
3. \$6,548.00 in United States currency is forfeited to the plaintiff.
4. The plaintiff's Motion to Return Certain Currency to Defendant and to Amend Motion for Final Order of Forfeiture ([filing 72](#)) is granted.
5. The Lincoln Police Department is directed to return \$8,000.00 to the defendant by tendering payment to the trust account of his attorney, Chad J. Wythers.
6. The plaintiff is directed to dispose of the \$6,548.00 in United States currency in accordance with law.

Dated this 16th day of November, 2023.

BY THE COURT:



John M. Gerrard
Senior United States District Judge